

March 18, 1975

SENATOR NICHOL: Yes he did get paid. The county paid him. Now, my other question is . . . well . . .

SENATOR LUEDTKE: I think you're wrong about this.

SENATOR NICHOL: No, I happen to have . . .

PRESIDENT: I'm going to rule that discussion out of order because it is not before us.

SENATOR NICHOL: OK, I'll ask the other question then please. The other question is that when a person, now, is found not guilty, who pays the \$1 to the retirement fund for the judge? Careful now.

SENATOR LUEDTKE: When he is found not guilty there isn't any costs assigned at all.

SENATOR NICHOL: Now is the counties, previously, did pay the \$1 to the fund. Do they not do that now?

SENATOR LUEDTKE: They do not, unless there's costs assigned. That was my answer to Senator Chambers. Remember, we had a bill before the Judiciary Committee which dealt with this subject . . . which involved the fees of witnesses, which is a real problem in this area. Cause when you have witnesses cost then you have a problem. That's the real problem.

SENATOR NICHOL: Then Senator Chambers is correct when he says that this would tend to make judges fine people, so that they get the one buck for their retirement fee. Isn't that correct?

SENATOR LUEDTKE: No.

SENATOR NICHOL: Just as you were saying that it would influence J.P.'s to find people guilty to get their fee.

SENATOR LUEDTKE: No. I did not. I say that's absolutely incorrect because that is not a personal matter with the Judges Retirement Fund. That only goes into the retirement fund. It has no effect, what so ever, on the individual judge. It has no effect on his salary. It has no effect on what he does. It has no effect on his retirement, absolutely none.

SENATOR NICHOL: OK, thank you.

PRESIDENT: Senator Kremer.

SENATOR KREMER: Mr. Chairman would Senator Luedtke yield to a question please? Senator Luedtke, am I right? I believe that the courts are being subsidized with monies from the Highway Safety Fund. Right?

(mic inactivated)

SENATOR LUEDTKE: . . . courts are receiving Federal funds for supplemental traffic casework. Yes, I believe that is correct.